

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD L. PIERCE and JANNA  
M. PIERCE,

Defendants.

4:12-CR-3037

ORDER OF DISMISSAL

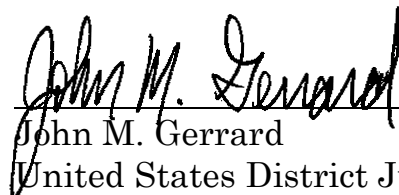
This case is before the Court on the plaintiff's Motion to Dismiss (filing 33). The plaintiff seeks leave of court to dismiss this case pursuant to [Fed. R. Crim. P. 48\(a\)](#), based upon its representation that the United States has reached a resolution with the defendants and does not intend to proceed with prosecution of the case. The Court finds that leave of court to dismiss this case is appropriate, and will grant the plaintiff's motion. See, [United States v. Jacobo-Zavala](#), 241 F.3d 1009, 1011-1014 (8th Cir. 2001); [United States v. Rush](#), 240 F.3d 729, 730-31 (8th Cir. 2001) (motion to dismiss under Rule 48(a) should be granted unless clearly contrary to manifest public interest, determined by whether motion to dismiss was made in bad faith).

IT IS ORDERED:

1. The plaintiff's Motion to Dismiss (filing 33) is granted.
2. This case is dismissed.

Dated this 18th day of December, 2012.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
United States District Judge